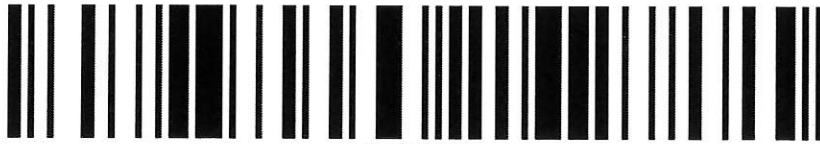


Exhibit 5



35376200

DOCUMENT: Order on Criteria for Bellwether Cases (ORD010)

CASE: JCCP005108

--

FILED: 11/18/2022

FILED BY:

BARCODE BY: cwright 11/18/2022 4:11 PM

ENTERED BY: cwright 11/18/2022 4:11 PM

FILED
ALAMEDA COUNTY

NOV 18 2022

CLERK OF THE SUPERIOR COURT
By  Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
IN AND FOR THE COUNTY OF ALAMEDA

IN RE NORTHERN CALIFORNIA CLERGY
CASES

No. JCCP 5108

ORDER ON CRITERIA FOR
BELLWETHER CASES.

THIS FILING RELATES TO:

DATE 11/16/22
TIME 1:30 PM
DEPT 21

DOE OK 1014 v. DOE, Alameda County Case
#HG20053992.

The court held a CMC on 11/16/22 at which the court and the parties discussed the selection of additional bellwether cases for trials after the trials of the initial six bellwether trials. At the CMC, counsel for plaintiffs and for defendants identified a variety of factors that the court might want to consider in selecting cases for the additional bellwether cases. The court is inclined to select cases for bellwether trials based on whether they will present legal or factual issues that are present in many of cases or that will otherwise provide information that will permit the parties to evaluate the value of other cases.

1 At the CMC, the court ORDERED:

2
3 The parties are to meet and confer regarding the establishment of criteria for the
4 trial of the second six bellwether cases. Parties are to report to the court at the
5 November 30, 2022, continued CMC. CMC statements to be filed on Monday,
6 November 28 instead of Wednesday, November 23.

7
8 Defense counsel are to prepare a spreadsheet showing the number of claims filed
9 against each institutional defendant, to be filed on November 30, 2022, with the
10 report on the criteria developed by the parties for selecting bellwether cases.

11
12 The court now provides additional direction on the selection of criteria for cases that the
13 parties propose for additional bellwether trials. For each case, the court anticipates ordering
14 counsel to provide at least the following information:

- 15 1. Case name and number.
- 16
- 17 2. Diocese / County of alleged assault(s).
- 18
- 19 3. Whether prior notice to institutional defendant will an issue.
- 20
- 21 4. Whether there are multiple claims regarding the alleged perpetrator.
- 22
- 23 5. Preexisting situation of plaintiff (preexisting cognitive situation, intact family, etc.).
- 24
- 25 6. Severity and duration of alleged assaults (exposure, oral copulation, sodomy, etc.
26 Single or multiple incidents).
7. Severity of alleged emotional injury.
8. Severity of alleged economic loss (therapy bills, inability to hold a job, etc.).

1 ///

2 Counsel may identify additional that counsel think would be relevant to the selection of the
3 second set of bellwether trials.
4

5 Dated: November __, 2022

6 NOV 18 2022



Evelio Grillo
Judge of the Superior Court

Superior Court of California, County of Alameda
Department 21, Administration Building

Case Number: JCCP005108
Case Name: Northern California Clergy Cases

RE: ORDER ON CRITERIA FOR BELLWETHER CASES

DECLARATION OF ELECTRONIC SERVICE

I certify that I am not a party to these cases and that a true and correct copy of the foregoing document was served electronically pursuant to "Order Authorizing Electronic Service", entered in these coordinated proceedings on January 25, 2021, via the CASE ANYWHERE system. Execution of this certificate occurred at 1221 Oak Street, Oakland, California.

Executed on November 18, 2022

Executive Officer/Clerk of the Superior Court

By Christopher Wright
Deputy Clerk